

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Gary L. Karr, et al.
Serial No. : 10/715,760
Filed: : November 18, 2003
For: : Die Apparatus for Forming Corrugated Pipe
TC/AU : 3725
Examiner : NA
Attorney Docket No. : MDM 2-002

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

CORRECTION OF SMALL ENTITY STATUS ERROR PURSUANT TO 37 C.F.R. 1.28(C)

Sir:

Modern Machine Corporation is the assignee of the above-identified patent application. Modern Machine Corporation was a small entity until March, 2003, when it was acquired by County Materials Corporation, which is a large entity. Modern Machine inadvertently failed to notify the Patent Office of the change in its status and paid the filing fee at the small entity rate. Recently, this error was discovered and the deficiency is being submitted herewith. Modern Machine respectfully requests that this error be excused.

The payment actually made as a small entity status, the corresponding current large entity status fee payment and the amount of the deficiency calculated pursuant to 37 C.F.R. 1.28(3)(c) are set forth below:

Date Paid	Fee Type	Amount Paid (small entity)	Current Amount (large entity)	Deficiency
11-18-03	Basic Filing Fee	385.00	300.00	-85.00
	Search Fee	0.00	500.00	500.00
	Examination Fee	0.00	200.00	200.00
	8 Excess Dep. claims	72.00 (8 X \$9)	400.00 (8 X \$50)	328.00

07/13/2005 WABDELRI 00000077 10715760

Total: \$943.00

01 FC:1001 790.00 OP
02 FC:1202 400.00 OP

A check in the amount of \$943.00 is enclosed.

Repln. Ref: 07/13/2005 WABDELRI 0019265900
DAH:134830 Name/Number:10715760
FC: 9204 \$210.00 CR

Please charge or credit deposit account No. 13-4830 for any deficiencies or overpayment in the above listed maintenance fee computations. A copy of this communication is submitted herewith.

Respectfully submitted,

Date: July 8, 2005

Diane E. Burke

Diane E. Burke
Reg. No. 45,725
MUELLER AND SMITH, L.P.A.
Mueller-Smith Building
7700 Rivers Edge Drive
Columbus, Ohio 43235-1355
Tel.: 614-436-0600
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on July 8th, 2005 with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Jane Keeney
Jane Keeney

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Respectfully submitted,

Date: July 8, 2005

Diane E. Burke

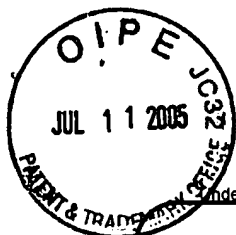
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Alexandria, VA 22313-1450

Jane Keeney
Jane Keeney



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/715,760	
	Filing Date	November 18, 2003	
	First Named Inventor	Gary L. Karr	
	Art Unit	3725	
	Examiner Name		
Total Number of Pages in This Submission	4	Attorney Docket Number	MDM 2-002

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Correction of Small Entity Status Error Check in the amount of \$943.00		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Mueller and Smith, LPA		
Signature	<i>Diane E. Burke</i>		
Printed name	Diane E. Burke		
Date	July 8, 2005	Reg. No.	45,725

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Jane Keeney</i>		
Typed or printed name	Jane Keeney	Date	July 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FREE TRANSMITTAL **For FY 2005**

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 943.00

Complete if Known

Application Number 10/715,760
Filing Date November 18, 2003
First Named Inventor Gary L. Karr
Examiner Name
Art Unit 3725
Attorney Docket No. MDM 2-002

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Account Deposit Account Number: 13-4830 Deposit Account Name: Mueller and Smith, LPA

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Fee (\$)

Small Entity Fee (\$)

Each independent claim over 3 (including Reissues)

50

25

Multiple dependent claims

200

100

360

180

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

Multiple Dependent Claims

- 20 or HP = x =

Fee (\$) **Fee Paid (\$)**

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 3 or HP = x =

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**

- 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Correction of Small Entity Status Error

943.00

SUBMITTED BY

Signature Diane E. Burke Registration No. 45,725 Telephone 614-436-0600
Name (Print/Type) Diane E. Burke Date July 8, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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